IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2839 OF 2005

Appasaheb Malleshi Koli] .. Petitioner

Versus

1. State of Maharashtra & 3 ors.] .. Respondents

Mr.R.K. Mendadkar with Ms. Helen Koli-Mandlik for the petitioner.

Mr. V.P. Malwankar, AGP, for respondents No.1 to 4.

CORAM: R.M. LODHA &
NARESH H. PATIL, JJ.

DATED: 21ST JULY, 2006

P.C. :

. Heard Mr. R.K. Mendadkar, the counsel for the petitioner and Mr. V.P. Malwankar, Assistant Government Pleader for respondents No.1 to 4.

2. Twice the matter pertaining to the petitioner’s caste has been examined by the Caste Scrutiny Committee and the Report of the Vigilance Cell has also been submitted twice.

3. The Committee found, as a matter of fact, that the school record of the petitioner’s father showed that

his caste was ‘Hindu-Koli’ and the alphabet "M" was written later on. That petitioner’s father’s caste is ‘Koli’ is further supported by the birth record of petitioner’s uncle and aunt pertaining to the period 1934 to 1941 as their caste is also recorded as ‘Koli’.

4. In view of the categorical finding of the Committee that petitioner’s father is Koli, obviously the petitioner has to be held to be of caste ‘Koli’ since caste is acquired by birth.

5. In this view of the matter, the order of Caste Scrutiny Committee cannot be faulted. Writ Petition is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[NARESH H. PATIL, J.]